

FINE TUNING WATERFOWL REGULATIONS

Duck hunters this year will evaluate a new concept in regulations that somewhat departs from past daily limits for certain species. The concept is called Hunter's Choice and it's designed to add a measure of consistency to regulations that protect species whose populations warrant special attention.

The August-September 2006 issue of *North Dakota OUTDOORS* contained a short article explaining details of the Hunter's Choice regulations that will influence the thought processes of state duck hunters this year. This Both Sides column is another opportunity to look deeper into the reasons for Hunter's Choice.

Hunter's Choice is not a controversial topic, but it is enough of a change that at least some waterfowlers will no doubt raise questions.

One of the longstanding issues surrounding waterfowl regulations is that some people feel they are too complicated. It's not uncommon for duck hunters to ask why the duck limit couldn't be somewhat lower than it is and not include restrictions on hen mallards, redheads, wood ducks, canvasbacks, pintails, and bluebills.

According to Game and Fish waterfowl managers, the daily limit would have to be set at one or two at most, or the season would have to be shortened considerably, so that species with low populations aren't overharvested.

Under the new Hunter's Choice duck hunting regulations, North Dakota hunters may take only one hen mallard (below), or one canvasback, or one pintail, within the daily limit of five ducks.



CRAIG BHIRLE

While that would certainly simplify the rules and might satisfy some hunters who would no longer have to worry about species or sex identification, it would mean a significant loss of opportunity for hunters who *are* proficient at duck identification.

Populations of many duck species are in good shape. Loss of habitat and changing annual water conditions have a much greater influence on population fluctuations than does a limit of five ducks a day.

For mallards, usually the second most numerous breeding duck in North Dakota (blue-winged teal are usually first), and the bird with the highest harvest across the country, as long as hunters shoot mostly drakes, harvest is not considered a significant factor in annual population swings.

Put another way, if you shoot only drake mallards, the end result is similar to what occurs with pheasants, where only roosters can be harvested. The population hinges on hen survival, habitat and nest success, not how many male birds were taken the year before.

If everyone hunted ducks only when the sun was out, and birds came into shooting range only singly or just a few at a time, if the birds were fully colored all fall, and hunters only had to deal with one or two species, duck limits might be different.

But duck hunting starts at a half hour before sunrise. When the wind is from the north or west, hunters are looking into the sun as birds drop into their decoys. Early in the season in northern states, immature or post-molt drakes of most species look a lot like hens. Those factors all add a degree of difficulty to positive identification of ducks as they come within shooting range.

On top of that, North Dakota and most other states have more than a dozen kinds of ducks a hunter might encounter on a day in the field or marsh. Compare that with a day of upland game hunting in North Dakota, where the variety might top out at four – pheasants, sharpshooters, prairie chickens and Hungarian partridge in any given spot. Sage grouse and ruffed grouse are also in the mix, but the most species you'd encounter in any one area of the state is four.

Pheasants, grouse and partridge have their own separate limits because it's relatively easy to tell the difference between species on the wing. The only difficult situation is in the two isolated areas of the state where prairie chickens and sharpshooters are both present, or perhaps early in the sharpshooter season when hunters could mistake young pheasants for grouse.

The Game and Fish Department rarely fields complaints from people who think upland game regulations are complicated. Yet the state has six different species, four different season lengths, a lottery drawing, three different daily limits and for pheasants taking of any hens is not allowed.

Ducks, on the other hand, are all combined into one daily limit, which had been set at six in North Dakota since 1996. If a hunter could just shoot six ducks without regard to species or sex, few hunters would look at the regulations and scratch their heads. At the opposite end of the realm of possibilities is a separate limit for each kind of duck – similar to what exists for upland birds, and also for geese – based on status of the population.

For instance, sage grouse are relatively few in number and are found only in extreme southwestern North Dakota. The season is three days long with a daily and possession limit of one. Most sage grouse hunters quit for the day if they get their bird, rather than continuing to walk for sharp-tailed grouse, which can be found in the same areas, but are fairly easy to tell apart from sage grouse.

Ducks aren't quite the same. Canvasbacks, for instance, have a small population. Over the past few years the daily limit has been one and the season was shorter than that for most other duck species. Prior to that, in many years the canvasback season was closed altogether.

The difference is that canvasbacks can fly by just about anywhere in North Dakota at any given time during waterfowl season. And when they do fly by, it's not always easy for hunters to distinguish, say, a hen canvasback from a hen redhead from a hen pintail. Pheasant hunters in central North Dakota don't have to worry about the odd sage grouse flushing from a CRP field, and even if it was possible, it's pretty easy to tell a rooster pheasant from just about anything.

Another thing to consider is that in upland hunting, the bird is usually flushed fairly close to the hunter so he or she can have a good look at it while in the process of raising the gun and deciding whether to shoot. Ducks can fly by at odd angles in low light and at varying speeds and distances, making species identification sometimes a challenge even for experienced hunters unless they have been watching the birds with binoculars as they approach.

To summarize: "Simple" duck regulations would mean either reduced opportunities on species that are in good shape, or greater risks to species with low numbers. The alternative – which has been the basis for duck hunting regulations for many years – is allowing maximum opportunities for some species while creating special protections for other species that are not as numerous.

More on Hunter's Choice

Hunter's Choice is a concept favored by about half the duck hunters surveyed nationwide in 2005. Basically, it allows hunting for canvasbacks and pintails in the Central Flyway for the entire 74-day duck season, rather than closing the season for these two birds after 39 days as has been the case the past few years – or having closed seasons on these species altogether.

Allowing a full season for canvasbacks and pintails, so hunters can "choose" to take one of these birds later in the season when in previous years hunting was closed, requires some new provisions that maintain protection for these species. The changes adopted for this season include:

- The duck daily bag limit is the same as the mallard limit, which is five per day and 10 in possession. For instance, if all you shoot is drake mallards, you can take five per day. If your first duck is a gadwall, only four drake mallards are allowed the rest of the day. For the last 10 years, North Dakota's duck limit was six daily and 12 in possession, which could include five mallards daily and 10 mallards in possession.
- The daily limit of five ducks can include only one hen mallard, *or* one pintail, *or* one canvasback. Previously, hunters could have two hen mallards per day, plus one canvasback, plus one pintail when those seasons were open. This year, if you shoot a pintail as your first duck of the day, you cannot shoot a hen mallard or a canvasback the rest of the day.

In past years, when canvasback and pintail seasons were closed while the regular duck season was open, hunters had the potential for taking an illegal duck on their first shot of the day.

Hunter's Choice provides a certain comfort level, as the first duck taken during a hunt will be a legal bird. If the first duck is not one of the restricted species/sex, that same comfort level applies to the next duck. It's up to the hunter to decide to take one of the restricted birds, or to hold off for other opportunities.

Hunter's Choice, like some other duck regulations, is still a compromise that addresses the protection/opportunity consideration. The opportunity is more days to hunt canvasbacks and pintails. The protection is an either/or limit, rather than one of each.

Hunter's Choice also comes with a further simplification. It is set up as a trial, with five Central Flyway states, including North Dakota and South Dakota, going with the new strategy for three years, providing there is not a dramatic decline in duck numbers.

At the end of the trial, waterfowl managers will evaluate duck harvests and hunter opinions to determine if Hunter's Choice is indeed a concept that benefits ducks and hunters.

We want to know what North Dakota duck hunters think. To pass along your comments, send us an email at ndgf@nd.gov; call us at 701-328-6300; or write North Dakota Game and Fish Department, 100 N. Bismarck Expressway, Bismarck, ND 58501.